

Achieving fast, innovative and cost-effective dispute resolution for businesses

EFFICIENCY. INNOVATION. RESOLUTION.

## Andrew Miller KC – Arbitrator

“ Andrew had a good grasp of issues, was firm but fair and tailored the process well to the parties requirements. ”

Partner – London City International Law Firm

### OVERVIEW

Andrew Miller KC has over 25 years of experience of dealing with and resolving commercial disputes both domestically and internationally. He practices as an Arbitrator in a wide range of commercial sectors, including in the areas of construction, energy, property damage, insurance and reinsurance, professional negligence and general commercial disputes.

Andrew is a qualified and accredited arbitrator and a Fellow of the Chartered Institute of Arbitrators (FCIArb), having qualified as an arbitrator in 1999. As both Arbitrator and Counsel Andrew has been involved in domestic and international arbitrations including large value arbitrations of half a billion US\$. Andrew promotes and practices a 'hands on' approach and ensures that each of his arbitrations are managed in a professional and time and cost-efficient manner.

Andrew has been consistently recognised by clients and in the legal directories for his strong negotiation and tactical skills. He is praised for his commercial approach to the resolution of disputes, whether in the traditional litigation forum, arbitration or through ADR.

### STYLE AND APPROACH

Andrew has used his background as a successful KC commercial practitioner and his substantial experience of arbitration and litigation to become a practical, efficient, approachable and user-friendly arbitrator. Andrew believes that the role of an arbitrator

commences from the moment that the arbitral tribunal is formed right through to Final Award. He ensures that the interaction between the arbitrator(s) and the parties remains consistent throughout each and every stage of the Arbitration. Andrew is keen to work with the parties to identify the key issues for the arbitration so as to ensure the most economical use of time and resources. Compliance with the procedural rules and timetables is paramount to Andrew's style of acting as an arbitrator.

Andrew works with the parties to make sure that the key issues in dispute are properly ventilated and addressed during the course of the arbitration process and at each and every hearing. Andrew adopts a hands-on and cost efficient approach to the procedural management of arbitrations. Andrew will work with the parties to enable the parties to be in a position to fully utilise all methods of communication and hearings. Andrew is keen to promote remote hearings (using video conferencing) whenever possible.

### EXPERTISE

- Commercial
- Construction & Engineering
- Insurance/Reinsurance
- Property Damage
- Property/Landlord and Tenant

## EXPERIENCE

### Construction & Engineering & Property Damage

- US\$140m construction/property damage (fire) claim brought by owners of a fertilizer plant against their insurers following repudiation of insurance claim post. (Arbitrator).
- Delay and disruption, EOT, acceleration and prolongation claims brought in respect of the design and build of a sugar plant in Nigeria (FIFIC) (Arbitrator).
- US\$6m dispute arising out of the project management of two prospective wells being drilled in the North Sea. (NEC Engineering Contract) (Counsel).
- US\$43m dispute arising out of the project management of an exploration drilling campaign in waters off Guinea, West Africa (Counsel).
- £7m ICC Arbitration by the reinsurers of the Cement factory in respect of a subrogated recovery against a Chinese construction company who constructed and then operated and maintained the cement factory. Delay, disruption and property damage claim. (Counsel).
- Dispute concerning the design, manufacture, transportation, installation and commission of four turbines and associated equipment for the Bakun Hydroelectric project in Sarawak. (ICC Arbitration) (Counsel).
- US\$650m ICC Arbitration claim concerning the design, manufacture and construction of a power boiler in the largest paper mill in Indonesia. (EPC Contract) (ICC Arbitration) (Counsel).
- US\$200m delay and disruption and additional cost claim arising out of the construction (EPC contract) of a 1000 MW multi-fuel combined cycle power plant in the Philippines.
- £7m claim against the manufacturers and suppliers of a defective protective paint system installed at Didcot B Power Station. (JCT Contract) (Counsel).

### Insurance

- £50m Claim brought by insurers against re-insurers in respect failure to reimburse first party insurers arising out of a substantial damage claim caused by a hurricane in Mexico. (Counsel).
- Various Policy interpretation cases brought either by insureds against their insurers in respect of discrete policy interpretation issues. (Counsel).

## PROFESSIONAL QUALIFICATIONS

- 1989: Barrister – Called to the Bar.
- 2014: Queen's Counsel (KC).

## CAREER HISTORY

- 1986 to 1988: Junior Accountant - Stockbroker (Sydney Australia).
- 1989: Called to the Bar.
- 1989-1990: Pupillage at 2 Temple Gardens, London UK.
- 1990 to date: Tenant at 2 Temple Gardens, London UK.
- 2014: Appointed Queen's Counsel (KC).
- 2019 to date: RICS – Lead Trainer at RICS Mediator Training Faculty.
- 2020 to date: Indian Institute of Corporate Affairs – Master Trainer (Mediation & Negotiation).

## ACCREDITATION

- CIArb – Fellow of the Chartered Institute of Arbitrators 1999.
- CEDR – Accredited Civil and Commercial Mediator 2014.
- RICS – Accredited Civil and Commercial Mediator 2019.
- RICS – RICS President's Panel Mediator 2020.
- MCN Global Panel of Neutrals – Arbitrator, Mediator and Conciliator 2018.
- RICS – Lead Trainer at RICS Mediator Training Faculty - 2019.
- Indian Institute of Corporate Affairs – Master Trainer (Mediation & Negotiation) - 2020.
- GLOBIS - Workplace.

## Contact

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